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4

Application Number	09/858,163
Filing Date	May 15, 2001
First Named Inventor	Michael Ehrhart
Group Art Unit	2876
Examiner Name	Kimberly D. Nguyen

Attorney Docket Number

283-325

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
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<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
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<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm and Individual name	Wall Marjama & Bilinski LLP George S. Blasiak	Reg. No. 37,283
Signature		
Date	December 28, 2005	

CERTIFICATE OF MAILING

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Jennine C Schirripa
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/858,163

Confirmation No.: 3286

Applicant: Michael Ehrhart

Filed: May 15, 2001

Art Unit: 2876

Examiner: Kimberly D. Nguyen

Docket No.: 283-325

Customer No.: 20874

Mail Stop: Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

**OFFICIAL COMMUNICATION
SUMMARY OF TELEPHONE INTERVIEW**

Sir:

A telephone interview was conducted December 22, 2005 between Supervisory Patent Examiner Michael Lee, Examiner Kimberly Nguyen and applicant's representative George Blasiak. During the interview, the Examiners indicated that, after further examination of U.S. Patent No. 5,821,523, to Bunte et al. (Bunte) with reference to the claims, they had determined that Bunte might possibly affect the patentability of claim 30 and its dependants. Bunte had been previously examined, as is indicated in the Office Action dated May 6, 2005. During the interview, the Examiners requested applicant's representative to point out what were regarded to be the patentable distinctions of claim 30 relative to Bunte. Applicant's

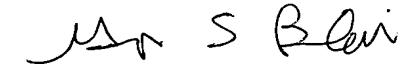
U. S. Patent Application No.: 09/858,163
Official Communication Dated December 28, 2005
Summary of Telephone Interview

representative pointed out that it appeared that Bunte did not have at least the "searching" step of claim 30, but indicated that more time would be needed to more substantively identify and summarize patentably distinct features of claim 30 relative to Bunte (applicant's representative had been invited to the interview to discuss Bunte relative to claim 30 approximately ten (10) minutes prior to the interview). For purposes of expediting allowance, without an allowance being delayed by formalization of another Office Action and the formulation of and presenting of arguments demonstrating that claim 30 is patentable over Bunte, applicant's representative, per the suggestion of the Examiners, agreed to allow the Examiners to cancel claim 30 and dependents with an Examiner amendment. The applicant's representative emphasized that the approval of the cancellation was contingent on the cancellation being without prejudice and emphasized that the applicant intended to carry forward claim 30 and its dependents in a continuing application. Accordingly, it was agreed by both parties that in the interest of efficiency, prosecution of claim 30 and its dependents would be carried forward into a continuing application.

Respectfully submitted,

WALL MARJAMA & BILINSKI LLP

Date: December 28, 2005



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